

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

LEXINGTON INSURANCE COMPANY AND
NATIONAL UNION FIRE INSURANCE COMPANY
OF PITTSBURGH,

Plaintiffs,

v.

VIRGINIA SURETY COMPANY, INC.,

Defendant.

CIVIL ACTION
No. 04-11109 RGS

CERTIFICATE OF SERVICE

I, Robert Maselek, hereby certify that the attached *Transcript Report/Transcript Order*, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), to wit:

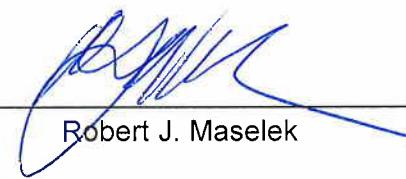
jmstephan@mintz.com

nccramb@mintz.com

jblute@mintz.com

Paper copies will be sent to any indicated as non-registered participants on June 15, 2007.

Dated: June 15, 2007


Robert J. Maselek

Case name Lexington Insurance Co. v. Virginia Surety Co.
 District Court Case No. 04-11109 RGS District of Massachusetts
 Date Notice of Appeal filed May 31, 2007 Court of Appeals Case No. _____
 Form filed on behalf of Appellants Lexington Insurance Co. and National Union Fire Insurance Company of Pittsburgh, PA
TRANSCRIPT REPORT

Transcript Not Necessary for this Appeal _____

Transcript Already Filed in District Court. List each transcript by docket entry number and date and type of proceeding (attach separate page if necessary) _____

TRANSCRIPT ORDER

Name of Court Reporter Carol L. Scott
 Phone Number of Reporter 617/330-1377

A. **This constitutes an order of the transcript of the following proceedings [check appropriate box(es) and indicate dates of hearing(s)]:**

PROCEEDING(S)	HEARING DATE(S)
<input type="checkbox"/> Jury Voir Dire	_____
<input type="checkbox"/> Opening Statement (plaintiff)	_____
<input type="checkbox"/> Opening Statement (defendant)	_____
<input type="checkbox"/> Trial	_____
<input type="checkbox"/> Closing Argument (plaintiff)	_____
<input type="checkbox"/> Closing Argument (defendant)	_____
<input type="checkbox"/> Findings of Fact/Conclusions of Law	_____
<input type="checkbox"/> Jury Instructions	_____
<input type="checkbox"/> Change of Plea	_____
<input type="checkbox"/> Sentencing	_____
<input type="checkbox"/> Bail hearing	_____
<input type="checkbox"/> Pretrial proceedings (specify) _____	_____
<input type="checkbox"/> Testimony (specify) _____	_____
<input checked="" type="checkbox"/> Other (specify) <u>Motion Hearing</u>	<u>February 2, 2007</u>

NOTE: Any form that fails to specify in adequate detail those proceedings to be transcribed will be considered deficient.

B. **I certify that I have contacted the court reporter and the following financial arrangements for payment of the transcript have been made:**

Private funds.

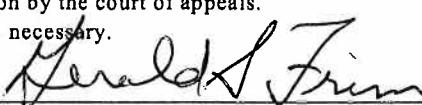
Government expense (civil case). IFP status has been granted and a motion for transcript at government expense has been allowed. (Attach a copy of the order to each copy of this order form.)

Criminal Justice Act. A CJA Form 24 has been approved by the district court judge.

Criminal Justice Act. A CJA Form 24 is attached for authorization by the court of appeals.

Federal Public Defender/Government Counsel - no CJA Form 24 necessary.

Filer's name Gerald S. Frim

Filer's Signature 

Firm/Address The McCormack Firm, LLC, One International Place, Boston, MA 02110

Telephone number 617/951-2929 Date mailed to court reporter 6/7/07

(Court Reporter Use ONLY) Date received _____